

Message Text

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TAGS: MASS, KS, US

SUBJECT:CONFERENCE REPORT ON KOREN EQUIPMENT TRANSFER
LEGISLATION

CINCPAC ALSO FOR POLAD

1. THE LONG AWAITED CONFERENCE COMMITTEE REPORT ON THE
FY 1979 SECURITY ASSISTANCE LEGISLATION, INCLUDING THE
KOREAN EQUIPMENT TRANSFER PACKAGE, WAS PRINTED IN THE
CONGRESSIONAL RECORD ON SEPTEMBER 7. THE TEXT OF THE KOREA
SECTION IS IN PARA 3 BELOW. THE REPORT IS EXPECTED TO BE
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TAKEN UP BY BOTH HOUSES THIS WEEK.

2. THE REPORTING REQUIREMENTS IMPOSED, AS CONTAINED IN
PARAS C, D AND E OF SECTION 23, ARE EXTENSIVE, AND WE ARE
CONSIDERING PROPOSING TO OMB THAT THE ADMINISTRATION IN-
CLUDE IN NEXT YEAR'S LEGISLATIVE PROGRAM A RECOMMENDED
CONSOLIDATION OF THESE REPORTING REQUIREMENTS WITH THOSE

CONTAINED IN SECTION 668 OF THE FOREIGN ASSISTANCE ACT AS AMENDED.

3. BEGIN TEXT

SPECIAL SECURITY ASSISTANCE PROGRAM FOR THE MODERNIZATION OF THE ARMED FORCES OF THE REPUBLIC OF KOREA

SECTION 23. (A)(1) THE PRESIDENT IS AUTHORIZED UNTIL DECEMBER 31, 1982--

(A) TO TRANSFER, WITHOUT REIMBURSEMENT, TO THE REPUBLIC OF KOREA, ONLY IN CONJUNCTION WITH THE WITHDRAWAL OF THE 2D INFANTRY DIVISION AND SUPPORT FORCES FROM KOREA, SUUNITED STATES GOVERNMENT-OWNED DEFENSE ARTICLES AS HE MAY DETERMINE WHICH ARE LOCATED IN KOREA IN THE CUSTODY OF UNITS OF THE UNITED STATES ARMY SCHEDULED TO DEPART FROM KOREA; AND

(B) TO FURNISH TO THE REPUBLIC OF KOREA, WITHOUT REIMBURSEMENT, DEFENSE SERVICES (INCLUDING TECHNICAL AND OPERATIONAL TRAINING) IN KOREA DIRECTLY RELATED TO THE UNITED STATES GOVERNMENT-OWNED DEFENSE ARTICLES TRANSFERRED TO THE REPUBLIC OF KOREA UNDER THIS SUBSECTION.

(2) ANY TRANSFER UNDER THE AUTHORITY OF THIS SECTION LIMITED OFFICIAL USE

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SHALL BE MADE IN ACCORDANCE WITH ALL THE TERMS AND CONDITIONS OF THE FOREIGN ASSISTANCE ACT OF 1961 APPLICABLE TO THE FURNISHING OF DEFENSE ARTICLES AND DEFENSE SERVICES UNDER CHAPTER 2 OF PART II OF THAT ACT, EXCEPT THAT NO FUNDS HERETOFORE OR HEREAFTER APPROPRIATED UNDER THAT ACT SHALL BE AVAILABLE TO REIMBURSE ANY AGENCY OF THE UNITED STATES GOVERNMENT FOR ANY SUCH TRANSFER OR RELATED SERVICES.

(B) IN ORDER THAT TRANSFERS OF DEFENSE ARTICLES UNDER SUBSECTION (A) WILL NOT CAUSE SIGNIFICANT ADVERSE IMPACT ON THE READINESS OF THE ARMED FORCES OF THE UNITED STATES, THE PRESIDENT IS AUTHORIZED, IN LIEU OF SUCH TRANSFERS, TO TRANSFER ADDITIONAL DEFENSE ARTICLES FROM THE STOCKS OF THE DEPARTMENT OF DEFENSE, WHEREVER LOCATED, TO THE REPUBLIC OF KOREA TO COMPENSATE FOR THE MILITARY CAPABILITY OF DEFENSE ARTICLES WITHDRAWN FROM KOREA IN ANY CASE WHERE HE DETERMINES THAT--

(1) THE TRANSFER OF SPECIFIC DEFENSE ARTICLES LOCATED IN KOREA WOULD HAVE A SIGNIFICANT ADVERSE IMPACT ON THE READINESS OF THE UNITED STATES ARMED FORCES;

(2) THE DEFENSE CAPABILITY PROVIDED BY THOSE DEFENSE ARTICLES IS NEEDED BY THE ARMED FORCES OF THE REPUBLIC OF KOREA IN ORDER TO MAINTAIN THE MILITARY BALANCE ON THE

KOREAN PENINSULA; AND

(3) A COMPARABLE DEFENSE CAPABILITY COULD BE PROVIDED BY LESS ADVANCED DEFENSE LES IN THE STOCKS OF THE DEPARTMENT OF DEFENSE WHICH COULD BE TRANSFERRED WITHOUT SIGNIFICANT ADVERSE IMPACT ON THE READINESS OF THE UNITED STATES ARMED FORCES.

THE PRESIDENT SHALL REPORT TO THE CONGRESS EACH LIMITED OFFICIAL USE

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DETERMINATION MADE UNDER THIS SUBSECTION PRIOR TO THE TRANSFER OF THE DEFENSE ARTICLES DESCRIBED IN SUCH DETERMINATION.

(C) THE PRESIDENT SHALL TRANSMIT TO THE CONGRESS TOGETHER WITH THE PRESENTATION MATERIALS FOR SECURITY ASSISTANCE PROGRAMS PROPOSED FOR EACH FISCAL YEAR THROUGH AND INCLUDING THE FISCAL YEAR 1983, A REPORT DESCRIBING THE TYPES, QUANTITIES, AND VALUE OF DEFENSE ARTICLES FURNISHED OR INTENDED TO BE FURNISHED TO THE REPUBLIC OF KOREA UNDER THIS SECTION.

(D) THE PRESIDENT SHOULD ALSO TRANSMIT TO THE CONGRESS, 120 DAYS PRIOR TO EACH PHASE OF TROOP WITHDRAWAL, A REPORT ON THE VIABILITY OF THE WITHDRAWAL. THIS REPORT SHOULD INCLUDE ASSESSMENTS OF THE MILITARY BALANCE ON THE KOREAN PENINSULA, THE IMPACT OF WITHDRAWAL ON THE MILITARY BALANCE, THE ADEQUACY OF UNITED STATES MILITARY ASSISTANCE TO THE REPUBLIC OF KOREA, THE IMPACT OF WITHDRAWAL ON THE UNITED NATIONS AND THE REPUBLIC OF KOREA COMMAND STRUCTURE, REPUBLIC OF KOREA DEFENSIVE FORTIFICATIONS AND DEFENSE INDUSTRY DEVELOPMENTS, THE UNITED STATES REINFORCEMENT CAPABILITY, AND THE PROGRESS OF DIPLOMATIC EFFORTS TO REDUCE TENSIONS IN THE AREA.

(E)(1) IT IS THE SENSE OF THE CONGRESS THAT FURTHER WITHDRAWAL OF GROUND FORCES OF THE UNITED STATES FROM THE REPUBLIC OF KOREA MAY SERIOUSLY RISK UPSETTING THE MILITARY BALANCE IN THAT REGION AND REQUIRES FULL ADVANCE CONSULTATION WITH THE CONGRESS.

(2) PRIOR TO ANY FURTHER WITHDRAWAL, THE PRESIDENT SHALL REPORT TO THE CONGRESS ON THE EFFECT OF ANY PROPOSED LIMITED OFFICIAL USE

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WITHDRAWAL PLAN ON PRESERVING DENCE IN KOREA, THE
REACTION ANTICIPATED FROM NORTH KOREA, THE EFFECT OF THE
PLAN ON INCREASING INCENTIVES FOR THE REPUBLIC OF KOREA TO
DEVELOP AN INDEPENDENT NUCLEAR DETERRENT, THE EFFECT OF ANY
WITHDRAWAL ON OUR LONG-TERM MILITARY AND ECONOMIC PARTNER-
SHIP WITH JAPAN, THE EFFECT OF ANY PROPOSED WITHDRAWAL ON

THE UNITED STATES-CHINESE AND UNITED STATES-SOVIET
MILITARY BALANCE, AND THE POSSIBLE IMPLICATIONS OF ANY
PROPOSED WITHDRAWAL ON THE SOVIET-CHINESE MILITARY
SITUATION. END TEXT. CHRISTOPHER

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